

# TENNESSEE REGULATORY AUTHORITY

Deborah Taylor Tate, Chairman  
Pat Miller, Director  
Sara Kyle, Director  
Ron Jones, Director



460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

January 23, 2004

April Ingram  
Boult, Cummings, Conners & Berry PLC  
414 Union Street, Suite 1600  
Nashville, Tennessee 37219

RE: Docket No. 04-00011

Dear Ms. Ingram:

CLEC applicants are required, by statute, to demonstrate their managerial, financial and technical abilities to provide the services for which they seek authority. To assist the Authority in its review of Kentucky Data Link, Inc. d/b/a Cinergy Networks's application for a Certificate of Convenience and Necessity to provide competing facilities-based local services in Tennessee, you are requested to provide the following information:

1. Please provide a copy of your license to do business in the state of Tennessee in the same name that you want to be certificated; Kentucky Data Link, Inc. d/b/a Cinergy Networks.
2. Please amend the Letter of Credit that you provided with your application stating the name as stated in the application; Kentucky Data Link d/b/a Cinergy Networks.
3. The Authority received a Balance Sheet as of September 30, 2002, an Income Statement as of September 30, 2003 and Statement of Cash Flows as of September 30, 2003. In addition, the Authority received a spreadsheet of projections for 2003, 2004, 2005 and 2006. Please provide a Balance Sheet as of September 30, 2003. Also, please provide the date of the fiscal year end. Finally, please provide a note explaining if the 2003 numbers on the spreadsheet are projections for 2003 or if the 2003 numbers are final numbers.
4. Does the applicant agree to follow and abide by all Tennessee Regulatory Authority Rules specifically 1220-4-8-.02 through 1220-4-8-.04.
5. Provide a detailed sworn testimony describing KDL's technical and managerial ability to provide telecommunications services in the State of Tennessee.
6. Provide all complaints filed with state and federal regulatory agencies involving the KDL or affiliated companies. Identify the nature of the complaint, which governmental agency or office received the complaint, and how the complaint was resolved?

7. Does the Applicant intend to subscribe to and/or participate in BellSouth's TAR Code data base in order to insure compliance with Tennessee's County Wide Calling Statute? If not, please describe in detail the method that will be used to insure your customers, within a Tennessee county, are not billed toll charges for a call made to any other resident (regardless of carrier) within the same county.

Please provide this information by February 10, 2004. If you have any questions concerning this request or need additional information, please call Patsy Fulton at 615-741-2904 ext. 193.

Sincerely,



Joe Werner  
Telecommunications Chief

Cc: Docket File